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11 UNITED STATES,) No: 3-06-70479 MAG
12 Plaintiff)
13 v.)
14 JOHNSON MAI,) [PROPOSED] ORDER AND STIPULATION
15 a/k/a Zhi Xiong Mai) FOR CONTINUANCE FROM NOVEMBER
16 a/k/a Uncle Hong,) 2, 2007 TO DECEMBER 11, 2007 AND
17 a/k/a Chi Hong Mak,) EXCLUDING TIME FROM THE SPEEDY
18 a/k/a Hong Suk;) TRIAL ACT CALCULATION (18 U.S.C. §
19 LISA LEE,) 3161(h)(8)(A) AND WAIVING TIME
20 a/k/a Xiao Ling Li;) LIMITS UNDER RULE 5.1
21 KAI LUN ZHENG,)
22 a/k/a Wai Keung Cheung,)
23 a/k/a Su Ming,)
24 a/k/a Alan Zheng;)
25 ZHI EN HUANG,)
26 a/k/a Gao Lo;)
27 DAVID YUEN,)
28 a/k/a Lo Wu,)
a/k/a Wu So Gor; and)
ERIC YU HENG CAI)
Defendants.)

With the agreement of the parties, and with the consent of the defendants, the Court enters this order scheduling a status conference on December 11, 2007 at 9:30 a.m. before the duty magistrate

1 judge and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of
2 Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(8)(B)(ii) and (iv), from November 2, 2007 to and through December 11, 2007. The parties
4 agree, and the Court finds and holds, as follows:

- 5 1. The case is very complex and involves international transactions and shipments, foreign
6 banks and complex monetary transactions, extensive wiretap evidence and conversations
7 in different chinese language dialects. There are multiple defendants and discovery is
8 voluminous. All defense counsel involved are in need of additional time to prepare the
9 case. Furthermore, the government and defense counsel are actively involved in the
10 process of global settlement discussions to resolve all pending charges and forfeiture
11 claims involving some\all defendants before the court and additional time is necessary
12 to seek approval of proposed plea and forfeiture agreements with the government.
- 13 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
14 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective
15 preparation taking into account the exercise of due diligence.
- 16 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for
17 preliminary hearing.
- 18 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a
19 preliminary hearing before the duty magistrate judge on December 11, 2007 at 9:30 a.m.
20 and (2) orders that the period from November 2, 2007 to December 11, 2007 be
21 excluded from the time period for preliminary hearings under Federal Rule of Criminal
22 Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(b).

23 IT IS SO STIPULATED:

24 DATED: October 30, 2007

/s/ Garrick Lew
GARRICK LEW
Attorney for Defendant Johnson Mai

26 DATED: October 30, 2007

/s/ Gil Eisenberg
GIL EISENBERG
Attorney for Defendant Kai Lun Zheng

1 DATED: October 30, 2007

/s/ Brian Getz
BRIAN GETZ
Attorney for Zhi En Huang

2 DATED: October 30, 2007

/s/ Stuart Hanlon
STUART HANLON
Attorney for David Yuen

3 DATED: October 30, 2007

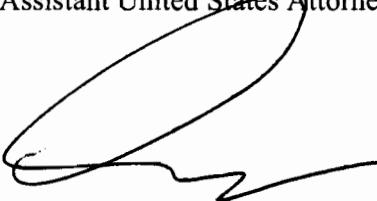
/s/ Randy Montesano
RANDY MONTESANO
Attorney for Eric Cai

4 DATED: October 30, 2007

/s/ Thomas Mazzucco
THOMAS MAZZUCCO
Assistant United States Attorney

5 IT IS SO ORDERED.

6 DATED: 11/1/07


7 HONORABLE EDWARD CHEN
8 United States Magistrate Judge

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28 Stipulation and Proposed Order for Continuance
[3-06-70479] [MAG]